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UTAH DEPARTMENT OF
ENVIRONMENTAL QUALITY

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October 16, 2012

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Public Comment
Utah Division of Air Quality
P.O. Box 144820
Salt Lake City, UT 84114

RE: Proposed Rule R307-312 Aggregate Processing Operations for PM2.5 Nonattainment Areas

For 90 years, the Associated General Contractors member companies have provided quality sand, rock & landscape products, ready-mixed concrete, asphalt, paving, and construction services to a wide variety of contractors, businesses, government agencies, municipalities, and homeowners. The AGC member companies represent more than 90 percent of the production within the aggregates industry in the state of Utah.


Despite contributing a very small fraction of total PM10 and PM2.5 to the airshed, the aggregates industry has a significant stake in preserving a sustainable industry and contributing toward attaining the National Ambient Air Quality Standard for PM10 and PM2.5. While entirely eliminating anthropogenic fugitive emissions and fugitive dust may realize the greatest level of air quality, it does not provide for any of the infrastructure we enjoy (and often take for granted). Said infrastructure plays a major role in the quality of life we have achieved. Healthcare, Education and Commerce all rely on a functional and maintained transportation system. Without the industries that generate fugitive emissions and fugitive dust, the transportation system would crumble in less than a decade.

The task before us is to develop reasonable and achievable controls on the industries that promote growth while protecting the health of the community. The controls must be based on scientific study that is demonstrable through measurement. It is with these thoughts in mind that we present the following comments:

1. R307-312-2 (1). Not all parts of the counties listed are non-attainment or maintenance areas for PM10 or PM2.5. Applicability of this rule should only apply to areas of listed counties within designated non-attainment areas.
2. R307-312-4 (1). The opacity limits listed were adopted from 40 CFR 60 Subpart OOO. 40 CFR 60.675(b)(3) specifies that the duration of the Method 9 (40 CFR part 60, Appendix A-4) observations must be 30 minutes (five 6-minute averages). Compliance with the applicable fugitive emission limits in Table 3 of this subpart must be based on the average of the five 6-minute averages. Requiring compliance with the lowered opacity limits on the average of a single six minute average goes against the intent of Subpart OOO and is an unreasonable requirement. R307-312-4 (1) should either specify the average of five six-minute averages, or retain the existing opacity limits.

Thank you for this opportunity to provide comment on the proposed R307-312 rule. If you require more information about any of the above listed comments, please contact the undersigned.

Sincerely,
ASSOCIATED GENERAL CONTRACTORS


Richard J. Thorn, President/CEO
Utah Chapter